

California College Promise Questions and Answers

As of 7-3-2019

AB 19 created the California College Promise that provides funds to districts to advance the goals of the legislation. One specific use of funds in the law allows colleges to, if a district chooses to use the funds in this way, cover the fees for first time, full-time students. However, a grant for students to pay their fees is not required.

The 2019-20 state budget authorized districts to cover the fees of second year students who met program requirements in their first year. Students who maintain full-time status into their second year may continue to be paid for these second year. Accordingly, district allocations were increased to help pay for these students. Be aware that, as of the date of this Q&A, AB 2 has not been chaptered into law. As a result, current law regarding the required number of units to receive a College Promise waiver of fees is in place.

GENERAL COLLEGE PROMISE QUESTIONS

1. Is the second year of the College Promise fee waiver for any full-time students?

Answer: No. Second year fees can only be paid for students who were first-time students the year before and who were full-time for all primary terms of the prior year.

2. Must students who are in their second year have been attending our college in the prior year to have their fees waived using College Promise funds?

Answer: No. Any second year student who was a first-time student the year before and was full-time for all primary terms may have the fees waived using College Promise funds. The student may have attended any other California Community college or have attended multiple CA community colleges totaling 12 or more units per primary term and participate for their second college year.

3. The news media continues to describe the College Promise as “free college” for first-time, fulltime community college students. Is this label accurate?

Answer: The actual provisions of the program have not been fully described in media coverage. The law allows districts to decide what is best for their students, whether that is to cover fees for first time, full-time students in their first and second years or make use of program funding in other ways that meet the goals of the legislation. The law, as updated in 2019, continues this discretion while also allowing the payment of fees for students continuing as full-time students in their second year of college.

Each district and each college may implement the California College Promise in different ways. In addition, these funds may be used to tie-in or to expand existing local promise programs. Here are just some other possible uses:

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- a. Grants to pay the first time, full-time student's enrollment fees
 - b. Grants to pay student non-enrollment fees
 - c. An enrollment fee reimbursement grant to be paid upon successful full-time completion of each term.
 - d. Grants to assist meeting child care, transportation, books and other costs.
 - e. Support at Local Education Agencies (LEA) to promote college preparedness and attendance
 - f. Staffing and academic/student support services to provide interventions and encourage outcomes
 - g. Other uses that support the goals of the legislation
4. Does it matter if we provide a fee waiver or award the funds as a grant or scholarship?

Answer: Districts should consider treating College Promise disbursements as direct assistance instead of fee waivers. Treating a disbursement as direct assistance will not result in a change in your general apportionment but treating it as a fee waiver will.

5. Does the California College Promise replace the California College Promise Grant or CCPG, (formerly known as the BOG fee waiver)?

Answer: The California College Promise does not replace the CCPG. Districts paying first time, full-time fees would use the California College Promise funds only for students who do not qualify for a CCPG and meet the other requirements. All California College Promise recipients must complete a FAFSA or Dream Act Application and thus prove eligibility for a CCPG and other need based financial aid. California College Promise funds may also be used to augment and support existing promise programs.

PROGRAM AND PARTICIPATION

6. Is a district required to participate in the California College Promise?

Answer: Participation in the California College Promise is voluntary. A district is not required to establish a College Promise program nor is a district with an existing College Promise program required to change that program. However, if a district seeks to receive funding provided by the State to support the California College Promise, the district would need to comply with the requirements as established by the law in CEC Section 76396.1 described below and participate in the federal loan program.

- a. Increasing the number and percentage of high school students who are prepared for and attend college directly from high school and increasing the percentage of high school graduates who are placed directly into transfer-level mathematics and English courses at a community college.
- b. Increasing the percentage of students who earn associate degrees or career technical education certificates that prepare them for in-demand jobs and increasing the percentage of students who report being employed in their field of study.

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- c. Increasing the percentage of students who successfully transfer from a community college to the California State University or the University of California and increasing the percentage of students who graduate from college with a baccalaureate degree.
 - d. Reducing and eliminating regional achievement gaps and achievement gaps for students from groups that are underrepresented at the California Community Colleges, including, but not limited to, underrepresented students, low-income students, students who are current or former foster youth, students with disabilities, formerly incarcerated students, undocumented students, students meeting the requirements of Assembly Bill 540 of the 2001–2002 Regular Session of the Legislature, and students who are veterans.
7. What should a district do if it already has a locally funded College Promise that includes a tuition waiver that is duplicative of the tuition waiver allowed in this program?

Answer: A district is not required to expend any monies received from this program on providing tuition assistance to students. Pursuant to Legislative intent, a district should use funding to advance the goals outlined in the program. See answers to questions 3 and 6.

8. Must a student enroll in 12 units or more for every term they attend to receive a waiver of fees?

Answer: Generally, 12 units is required. Section 76396.3(c)(1) of the California Education Code states:

“For purposes of this section, the following terms have the following meanings:

“Full time” means 12 or more semester units or the equivalent.

To be eligible for a fee waiver, a student must enroll in 12 units during the summer term.

However, to maintain continuing eligibility in the program, a student must only enroll as a full-time student in their college’s primary terms. If a student enrolls in less than 12 units in summer, or if the student does not enroll in any summer units, the student does not lose eligibility to continue participation in the following fall term. (See question 9)

9. What is full-time equivalent for DSPS students?

Answer: The law, as currently written, tells us that students must be in 12 units to be considered full-time for purposes of using AB 19 funds to waive fees.

At the time of the release of this Q and A, explicit language on disabled student participation included in 2019 Assembly Bill 2 (AB 2) has not yet been passed. Therefore, the answer below is accurate until the law is changed.

The Americans with Disabilities Act, Section 504 of the Rehabilitation Act of 1973, and Government Code section 11135, prohibit discrimination in programs that receive state funding. A strong argument can be made that disabled students whose Academic Accommodation Plan (AAP) permits them to take less than 12 units should be considered full-time for eligibility under the College Promise.

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To determine if disabled students should be considered full-time for College Promise eligibility under if enrolled in less than 12 units, a local determination would have to be made based on a fact-intensive analysis that would depend on the student's specific circumstances. Such a factually-dependent analysis is most appropriately conducted by a district's legal counsel.

10. What are districts required to do to receive funding?

Answer: The Chancellor's Office will be responsible for insuring that districts complete their certifications in order to qualify for appropriated funding:

- a. Partner with one or more Local Education Agencies (LEAs) to establish an Early Commitment to College Program;
- b. Partner with LEAs to improve college readiness and reduce remediation;
- c. Use evidence-based multiple measures for assessment and placement;
- d. Participate in the CCC Guided Pathways program;
- e. If a college will be covering fees for first-time, full-time students, ensure that students complete the FAFSA or California Dream Act application prior to covering the fees.
- f. Participate in the federal student loan program. Districts not currently in the loan program must apply to reenter the loan program prior to July 1 of any award year.

11. For those colleges issuing grants for first-time college students, what definition will be used for first-time college student?

Answer: The program will use the definition used for IPEDS reporting that defines first-time college student as:

"A student who has no prior postsecondary experience (except as noted below) attending any institution for the first time at the undergraduate level. This includes students enrolled in academic or occupational programs. It also includes students enrolled in the fall term who attended college for the first time in the prior summer term, and students who entered with advanced standing (college credits or postsecondary formal award earned before graduation from high school)."

The IPEDS definition for postsecondary education is also used:

"The provision of a formal instructional program whose curriculum is designed primarily for students who are beyond the compulsory age for high school. This includes programs whose purpose is academic, vocational, and continuing professional education, and excludes avocational and adult basic education programs."

12. Is there an age limit for the start of a student's first year?

Answer: A student could be considered a first-time college student at any age. However, they must meet the IPED first-time college student definition.

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13. If a student completely withdraws or drops down to less than the college's full-time attendance, do they need to repay the grant/fee waiver? Can they regain eligibility in the program?

Answer: Each institution will establish its own return of funds policies. The law states that participants must maintain full-time status. Dropping all coursework, or dropping below full-time causes the student to lose eligibility going forward.

14. How are mid-year high school graduates, who begin college enrollment in the Spring handled, with regards to free tuition?

Answer: The student may receive College Promise fee waivers only during two award years. Therefore, the student could attend for Spring of the first award year, and then only for Summer, Fall and Spring of the second award year.

15. What if a student is enrolled in a program of study such as a certificate program that does not allow for 12 units per term, such as nursing? Could their fees be paid for them?

Answer: See answer for question 8.

16. For colleges providing a grant/waiver of fees, could a student receive summer term payment?

Answer: The law, as written, tells us that students must be in 12 units to be considered full-time for purposes of using College Promise funds to waive fees. Payment for summer units would be allowable if the student was enrolled in 12 units.

17. Does a student have to be a California resident to receive funds?

Answer: Participation is limited to California residents and students eligible for the non-resident tuition exemption.

For students receiving a grant or waiver from tuition fees, non-residents are not eligible. CEC Section 76396.3(b) states:

"A fee waiver provided pursuant to this subdivision shall not be available to a student who is charged a tuition fee pursuant to Section 76140."

Section 76140 addresses non-resident fees for students.

18. Question: Does attending adult education classes affect the first-time definition?

Answer: Adult education enrollment does not affect a student's classification as a first-time college student. See the IPEDs definition of postsecondary education definition provided in question 11.

19. Does prior attendance in ESL classes affect first-time status?

Answer: First time status is affected only if the student was awarded credit for the ESL coursework or if other credit coursework was completed at the same time as the ESL coursework.

20. Must College Promise fee waiver recipients have attended high school within the college's service area?

Answer: The law is silent on that. Therefore, a college may offer a waiver of fees for students who attended high school outside of the college service area.

PROGRAM FUNDING

21. How were funds allocated to districts?

Answer: Allocation calculations were based on individual college reported MIS data. However, funds were allocated to the district.

Calculations:

Funds were allocated based on an estimated amount, derived from 2016-17 through 2017-18 data, which would cover fee waivers for first-time, full-time students for 2019-20 and also for 2019-20 students who were first time, full-time students for 2018-19 and are continuing as full-time students for 2019-20. College Promise recipients cannot also receive the California College Promise Grant (CCPG, formerly known as the BOGFW). Based on individual college data, this amount to waive fees was \$80.45million.

The 2019-20 state budget allocates total College Promise funding of 85.138 million. The allocation total is comprised of three (3) factors:

- a. 80.45 million was allocated based on calculated number of potentially eligible students
- b. 4.22 million (90%) was allocated based on number of Pell recipients
- c. .468 million (25%) was allocated based on FTEs

Fair share calculation: funds were allocated based on the college's data count as a percent of the system total.

Data Used:

2016-17 college count data was used to establish a cohort of students who were first-time full-time for that year. This cohort was then tracked using 2017-18 full-time student data to establish an approximate percentage of students who each year continue in their second year as full-time students. This number was added to the number of California resident students who in 2017-18 were first time, full-time students not receiving a CCPG (formerly known as BOGFW). The sum of these numbers determined the approximate number of fee waivers that could be paid in 2019-20.

The remainder of the allocation was determined using the following methodology:

1. Number of Pell Grant recipients, 90% of the remainder (MIS)
2. Number of FTEs, 10% of the remainder (per 320 report)

Use of this funding methodology provided more funding to colleges with fewer CCPG fee waivers. Colleges with more CCPG waivers received less funding.

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22. Is this one-time or continuing funding?

Answer: The law creates an ongoing program subject to annual funding in the state budget.

21. If the initial allocation falls short, will we be able to request more funding?

Answer: All 2019-20 funds were fully allocated with the initial 2019-20 advance. Districts should plan on expending all allocated funds, track fund expenditures and ration the funds by some means, if necessary.

We believe that additional allocations will not occur.

22. If we have funds left over, should they be returned?

Answer: All funds are to be spent to meet program goals.

23. Are the California College Promise funds restricted?

Answer: Yes, College Promise funds are restricted and should be recorded in the Restricted General Fund – Object Code 8620 (General Categorical Program). Expenses for eligible services as described in the law can also be recorded in the same restricted fund. Student grants for first year enrollment fees may also be recorded under object code 7500 or processed through Fund Type 74.

24. Are College Promise funds that are used to pay for student enrollment fees refundable to students?

Answer: No, College Promise funds are not refundable to students and each district should ensure that its accounting system has audit checks in place to identify these transactions.

USE OF THE FAFSA OR DREAM ACT APPLICATION

25. Must colleges require the completion of the FAFSA or Dream Act Application (CADAA) for all of its students?

Answer: The FAFSA or Dream Act Application (CADAA) application is required if the student is receiving funding from College Promise funds for a fee waiver or for other direct assistance, such as payments for child care, transportation and books.

26. Is there a deadline to file the FAFSA or CADAA?

Answer: The California College Promise does not have a stated deadline. Districts could choose to set a final deadline for College Promise fee waiver applications based on local practice. The student's FAFSA or California Dream Act Application must be completed prior to receiving benefits in the program. Of course, other financial aid programs do have deadlines for FAFSA or CADAA submission.

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27. Question 8 describes the participation requirements for the California College Promise. One requirement is to “Partner with one or more Local Education Agencies (LEAs) to establish an Early Commitment to College Program. Is this still required?

Answer: The "Early Commitment to College" program was repealed as of 1/1/19 in accordance with prior EC section 54716. However, the first goal of the legislation (Question 6) is “Increasing the number and percentage of high school students who are prepared for and attend college directly from high school and increasing the percentage of high school graduates who are placed directly into transfer-level mathematics and English courses at a community college.”

Clearly, the intent of the law is for districts to have significant involvement with local high schools towards meeting the goals of the legislation.

QUESTIONS ON A STUDENT SECOND YEAR IN THE PROGRAM

28. For students continuing as full-time for their second year, must they have been paid the year before in the program or only have been first-time, full-time at that college or another college?

Answer: A student can be considered for a second year of College Promise eligibility only if they were a first time, full-time student at that college or another community college.

29. May a student be paid for 2019-20 summer if 2019-20 allocation is authorized only after July 1?

Answer: Yes, for the College Promise summer is treated as a leader and students attending 12 or more units can receive fee waivers even if the summer term began prior to July 1.

30. Can a student have attended more than one college in the prior year to establish eligibility for their second year?

Answer: A student who was a first-time college student the year before and attended more than one college to reach 12+ units in each primary term, can receive a College Promise fee waiver for the second year.